

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>SHIRLEY MAHONE,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION NO. 2:05cv405-D</b>
	)	
<b>HARRAH'S ALABAMA CORP., d/b/a</b>	)	
<b>HARRAH'S ENTERTAINMENT</b>	)	
<b>CENTER, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**ORDER**

Upon CONSIDERATION of Plaintiff's Notice of Dismissal, filed May 20, 2005, and the Notice having been filed prior to service by the adverse party of an answer or of a motion for summary judgment,<sup>1</sup> it is ORDERED that this case be and the same is hereby DISMISSED without prejudice pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure.

Done this 20th day of May, 2005.

/s/ Ira DeMent  
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SENIOR UNITED STATES DISTRICT JUDGE

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<sup>1</sup> See Fed. R. Civ. P 41(a)(1)(i); see also Carter v. United States, 547 F.2d 258, 259 (5th Cir. 1977) (a defendant's motion to dismiss does not impede a plaintiff's unilateral right to file a motion to dismiss under Rule 41(a)(1)(i)).